

AMENDED IN ASSEMBLY MAY 11, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 277

Introduced by Assembly Member Ammiano

February 12, 2009

An act to amend ~~Section 131241~~ *Sections 131103 and 131241* of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 277, as amended, Ammiano. Transportation: local retail transaction and use taxes: Bay Area.

The Bay Area County Traffic and Transportation Funding Act establishes a process for each of the 9 counties in the San Francisco Bay area to impose a retail transactions and use tax for transportation purposes subject to voter approval. Existing law provides for a county transportation expenditure plan to be developed in that regard, with expenditures from tax revenues to be administered by a county transportation authority, or, alternatively, by the Metropolitan Transportation Commission. Existing law requires the membership of a county transportation authority to be specified either in the county transportation expenditure plan or in the retail transactions and use tax ordinance.

This bill would delete the option of specifying the membership of the authority in the retail transactions and use tax ordinance.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 131103 of the Public Utilities Code is*
2 *amended to read:*

3 131103. The county, in the retail transactions and use tax
4 ordinance, shall state the nature of the tax to be imposed and shall
5 specify the purposes for which the revenues derived from the tax
6 will be used, ~~and may state the membership of the county~~
7 ~~transportation authority.~~

8 ~~SECTION 1.~~

9 *SEC. 2.* Section 131241 of the Public Utilities Code is amended
10 to read:

11 131241. (a) The county transportation authority shall consist
12 of the members who are elected officials as specified in the county
13 transportation expenditure plan, and shall be appointed by each
14 constituent local government within 45 days after the authority is
15 created.

16 (b) At the first meeting of the county transportation authority,
17 one-half of the members, and the odd-numbered member if the
18 membership of the county transportation authority is
19 odd-numbered, shall be selected by lot to serve terms consisting
20 of the remaining months of the current calendar year, if any, plus
21 two years, and the remaining members shall be selected by lot to
22 serve a term consisting of the remaining months of the current
23 calendar year, if any, plus three years. Thereafter, appointments
24 for all members shall be for two-year terms, beginning on January
25 1.

26 (c) If any member or alternate member ceases to be an elected
27 official, that member shall cease to be a member of the county
28 transportation authority, and another member shall be appointed
29 for the remainder of the term by the constituent local government
30 that that member represents.

31 (d) An alternate may be designated for each regular member.
32 A regular member who, pursuant to the county transportation
33 expenditure plan, serves by virtue of holding a specified public
34 office, may designate a person to serve as his or her alternate. In
35 the case of any other regular member, the appointing constituent
36 local government may designate an alternate to the regular
37 appointed member. The alternate's term of office shall be the same
38 as that of the regular member. When the regular member is not

- 1 present at the meeting of the authority, the alternate may act as the
- 2 regular member and shall have all the rights, privileges, and
- 3 responsibilities of the regular member.

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